

In the High Court of Punjab and Haryana at Chandigarh

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Criminal W.P. No.546 of 2007

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Date of decision:20.7.2007

Ram Lal

.....Petitioner

v.

State of Punjab

.....Respondent

.....

Present: None for the petitioner (By post).

Mr. Mukesh Kaushik, Deputy Advocate General, Punjab for
the respondent-State.

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S.S. Saron, J.

Reply of Joginder Pal, PPS, Deputy Superintendent of Police
(Special Branch), Hoshiarpur filed in Court today is taken on record.

Ram Lal son of Sant Ram sent a telegram to this Court alleging
illegal detention of his son Jaswinder Singh resident of Village Ajram,
Tehsil and District Hoshiarpur. It was alleged that his son was in illegal
custody of Police Station Model Town, Hoshiarpur since 1.5.2007. The
said telegram was treated as criminal writ petition and notice of motion was
issued to SSP, Hoshiarpur.

In terms of the reply filed, it is denied that Jaswinder Singh son
of the petitioner Ram Lal was taken into Police custody of the Police
Station, Model Town, Hoshiarpur on 1.5.2007. In fact, Jaspal alias Jassa
son of the petitioner was intercepted by Balbir Singh, ASI on 3.5.2007 at
Singriwala Bye-Pass at about 2.30 p.m. while he was driving motor cycle.

On search of Jaspal alias Jassa 18 Kgs. of poppy husk was recovered from the bag carried on the motor cycle. Accordingly, FIR No.90 dated 3.5.2007 was registered for the offence under Section 15 of the NDPS Act at Police Station, Model Town, Hoshiarpur. The accused Jaspal alias Jassa was arrested and is presently on bail in the said case.

Keeping in view the fact that Jaswinder Singh son of the petitioner has not been arrested and Jaspal alias Jassa was arrested in criminal case and thereafter released on bail, there is no merit in this petition. Consequently, the same is dismissed.

July 20, 2007.

(S.S. Saron)
Judge

hsp